

# **Nuclear Non-Proliferation (Safeguards) Amendment Regulations 2000 (No. 3) 2000 No. 305**

## **EXPLANATORY STATEMENT**

### **Statutory Rules 2000 No. 305**

Issued by the Authority of the Minister for Foreign Affairs

*Nuclear Non-Proliferation (Safeguards) Act 1987*

Nuclear Non-Proliferation (Safeguards) Amendment Regulations 2000 (No. 3)

The *Nuclear Non-Proliferation (Safeguards) Act 1987* ("the Act") gives effect to certain of Australia's obligations under international agreements relating to the peaceful use of nuclear material and facilities, including the Safeguards Agreement between Australia and the International Atomic Energy Agency (IAEA) pursuant to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), and various bilateral safeguards agreements.

Section 74 of the Act provides that the Governor-General may make regulations, not inconsistent with the Act, prescribing matters required or permitted by the Act to be prescribed, or necessary or convenient to be prescribed for carrying out or giving effect to the Act.

The *Nuclear Safeguards (Producers of Uranium Ore Concentrates) Charge Act 1993* imposes a charge on producers of uranium ore concentrates due on 1 December each year. The Act specifies the amount of this charge payable by these producers. The amount, charged per kilogram of uranium produced by each producer, is set in the regulations each year.

The amount calculated to be due, for each person paying the charge, on 1 December 2000 is 6.7463 cents per kilogram of uranium in the uranium ore concentrates produced by the person in the previous financial year taking account of the level of production for 1999/2000 relative to the Australian Safeguards and Non-proliferation Office's operating costs. The Act sets a maximum limit of \$500,000 on the charge.

The Regulations:

- a) set the amount of charge payable by a producer of uranium ore concentrates as the lesser of 6.7463 cents per kilogram of uranium in the uranium ore concentrates produced by the producer in the previous financial year and \$500,000.

Details of the Regulations are attached.

The Regulations commence on gazettal.

## **ATTACHMENT**

### **DETAILS OF AMENDMENTS TO THE NUCLEAR NON-PROLIFERATION (SAFEGUARDS) REGULATIONS 2000 (THE REGULATIONS)**

Regulation 1 provides that these amendment regulations should be known as the *Nuclear NonProliferation (Safeguards) Amendment Regulations 2000 (No. 3)*.

Regulation 2 provides that the Regulations commence on gazettal.

Regulation 3 provides that Schedule 1 amends the *Nuclear Non-Proliferation (Safeguards) Regulations 1987* ("the principal regulations").

#### Schedule 1

Item [1] provides that in Paragraph 6(a) of the principal regulations 8.6456 be omitted and 6.7463 be inserted.